

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

ARTURO HERNANDEZ,
Petitioner,

v.

Case No. 07C0417

PAM WALLACE,
Respondent.

ORDER

On May 7, 2007, Arturo Hernandez filed this pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On June 1, 2007, petitioner filed a motion for appointment of counsel, and on July 18, 2007, I told him that I was prepared to appoint his chosen counsel but that I needed to confirm his indigence. As such, I ordered him to file an affidavit of indigence and prison trust account statement.

Plaintiff has now filed an affidavit of indigence and prison trust account statement and I am satisfied that plaintiff is unable to retain counsel on his own. Plaintiff has a balance of only \$297.74 in his prison trust account and has no reliable source of income. As I stated previously, petitioner's claims have arguable merit and some of the legal issues involved are quite complex.

THEREFORE, IT IS ORDERED that petitioner's motion to appoint counsel is **GRANTED**. Attorney Robert Henak is appointed by the Court as counsel for petitioner.

Dated at Milwaukee, Wisconsin, this 31 day of July, 2007.

/s_____
LYNN ADELMAN
District Judge